THE HON'BLE MR JUSTICE L. NARASIMHA REDDY

AND

THE HON'BLE MR JUSTICE D. APPA RAO

W.P.NO.9972 OF 2006

Dated 23-05-2006

Between:

P.Narasimha Rao,

Mahabubnagar District and others

…Petitioners

A n d

The State of A.P. rep. By its Secretary,

Secretariat,

Hyderabad and others

…Respondents

THE HON'BLE MR JUSTICE L. NARASIMHA REDDY

AND

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ORDER: *(per the Hon'ble Mr. Justice L. Narasimha Reddy)*

The petitioners have initially been appointed as Junior Assistants in the Revenue Department. Subsequently, they have been promoted to the posts of Senior Assistants and thereafter,
as Deputy Tahsildars. They are due to be promoted to the posts of Tahsildars. According to the petitioners, their seniority in the posts of Junior Assistants and the subsequent posts, is liable to be re-fixed,
on the basis of their dates of joining, and on the basis of the orders passed by the Tribunal, in certain matters. They filed O.A.No.2991 of 2006 seeking directions, in relation to their fixation of seniority in the posts of Deputy Tahsildars. Pending the O.A., they sought interim orders for consideration of their cases for promotion to the posts of Tahsildars, based upon the actual date of appointment as Deputy Tahsildars. The Tribunal did not accede to the request and through its order dated 17-5-2006 directed that, the 2nd respondent herein shall consider the representation preferred by the petitioners
on 27-03-2006, and pass appropriate orders within four weeks. The petitioners feel aggrieved by the denial of the directions by the Tribunal, in relation to the

consideration of their cases.

Heard the learned counsel for the petitioners and learned Government Pleader for Services.

The question, as to whether the seniority of the petitioners to the posts of Deputy Tahsildars is to be re-fixed or not; is a matter which has to be dealt with at the time of deciding the O.A. It is not in dispute that the selection for the posts of Tahsildars is being undertaken by the Departmental Promotion Committee (D.P.C).
In the event of the prayer of the petitioners being granted in the O.A., it would be difficult for them to be compensated or for being restored in terms of their seniority or promotion. No prejudice would be caused to any one, in case the grievance of the petitioners is considered.

Having regard to the facts and circumstances of the case, the writ petition is disposed of, directing that the case of the petitioners shall also be considered by the D.P.C., along with others, for promotion to the posts of Tahsildars. It is, however, made clear that, in case the petitioners come up for selection, in the usual course, nothing would prevent the authorities from proceeding further in the matter. If, however, the petitioners are found ineligible, the result of their consideration shall be kept in a sealed cover, which in turn, shall be subject to the outcome of the O.A. There shall be no order as to costs.

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L. NARASIMHA REDDY, J.

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D. APPA RAO, J.

Dt.23-05-2006.

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